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UPDATED STAFF REPORT

REPORT DATE

August 5, 2019

PLANNING BOARD MEETING

August 7, 2019

Case #19-23: SITE PLAN REVIEW
159 Hathaway Road
Map: 101 Lot: 14

Applicant/Agent: Bohler Engineering
352 Turnpike Road
Southborough, MA
01772

Owners: S.B. Realty Co.
92 Kilburn Street
New Bedford, MA 02740

Overview

Request by applicant for **Site Plan (Case #19-23)** approval for the commercial rehabilitation of an existing 4,775 SF fast-food restaurant with drive-thru; including a minor building addition, exterior renovation, and minor site improvements; located at 159 Hathaway Road (Map: 101 Lot: 14) on a 27,000 SF leased portion of a 9.8 acre site in an Industrial B and Mixed Use Business zoned district.

Existing Conditions

The site plan is for a 27,000 SF leased area on a 9.8 acre lot on the northeast corner of Hathaway Road and Shawmut Avenue. As seen in the plans entitled, "Site Development Plan for Existing



McDonald's with Drive-Thru", Location of Site: 159 Hathaway Road City of New Bedford Bristol County, Massachusetts Lot 14, Map 101 Book 04671 Page 186, the lot consists of a large parking lot framed by several retail stores specifically, a Bargain Outlet, Family Dollar, & Price Rite on the north side opposite Hathaway Road and a Rent-A-Center and General Dentistry for Kids on the east side opposite Shawmut Ave.

The surrounding area to the south is home to the Brickenwood housing project, a newly constructed Cumberland Farms, and a large residential neighborhood. To the east is the plaza that once held Building 19. To the north, is an industrial zone made up primarily of waste management facilities. To the west is a commercial/residential area and a Rt. 140 highway interchange.

Proposed Conditions

The proposal seeks to improve the existing McDonald's restaurant via minor site improvements to ensure AAB & MAAB accessibility compliance and an exterior/interior building remodel associated with McDonald's re-branding; which includes replacing the existing menu board with McDonald's current digital features. Building improvements include updating the architectural style to McDonald's current standards, which has a more contemporary look, and a 30 SF cash booth building addition to replace the existing cash booth in order to provide more efficient spacing between the drive-thru windows.

The estimated time required to complete the proposed project is projected to be approximately 100-120 days. The estimated total cost of the project is \$578,000.

Demolition & Site Preparation

The proposal seeks to remove the existing drive-thru clearance pole, customer order speaker, and menu board. The clearance pole will be replaced by a new fixture in the same existing location.

The parking area in front of the south side elevation (front of the building), will have a section of the asphalt pavement removed and regraded to provide a more level surface for handicapped wheelchair access.

The existing mansard roof overhanging projection throughout the perimeter of building will be remodeled as a parapet roof that will shield rooftop mechanicals from public view.

During construction, some landscaped areas around the building will remain and be protected during construction with straw bales, while others likely to be disturbed during construction will be replaced per the landscape plan. All existing trees on the outer side of the drive-thru alley will be protected in place during construction.

South Side Elevation (front of the building): Single door entrance and existing storefront windows will be replaced. Existing roof assembly, supporting posts, and light fixtures will be removed.

East Side Elevation: Current brick walkways and concrete steps providing access to the entrances on the east and south sides will be replaced entirely by concrete. The main vestibule entrance will be enlarged and both sets of exterior and interior doors will be replaced. Farther along the side of the building, a single door entrance will also be replaced. Adjacent to the drive-thru a loading ramp will be constructed with an additional door providing access to an interior storage room.

West Side Elevation: The existing entrance vestibule adjacent to the order pickup window will undergo minor improvements. Portions of the existing wall and storefront door will be removed and the current brick walkway leading up to it will be replaced by concrete. The current cash booth will be enlarged by 30 SF and existing windows as well as portions of the existing wall will be removed for the new drive-thru configuration. Existing column and beams above the drive thru will remain.

Parking & Loading

The applicant states that the proposed site improvements will result in no change in parking count within the lease area. **Staff notes that there are currently 48 spaces including the two handicapped stalls shown in the plan.** Under the zoning ordinance this proposal requires forty eight (48) parking spaces, one space per employee per shift, and one loading space. **Communication with applicant indicates it is anticipated there will be twelve (12) employees per shift making the total required number of required parking spaces sixty one (61).** However, there is ample parking available in the plaza's shared parking area. The southern section of the parking area, in the front of the building and drive-thru exit, will be reconfigured to include two Architectural Access Board (AAB)/Massachusetts Architectural Access Board (MAAB) compliant spaces, as well as one additional parking space. **Staff notes that it is not clear where this additional parking space is located in the plans.** In addition, a 5' wide striped crosswalk pavement marking will connect the walkway on the west side to the proposed handicap spaces. New handicapped parking stalls will replace existing bollards marking the existing handicap parking stalls.

No bicycle parking facilities are proposed.

USE	PARKING REQUIREMENTS	LOADING REQUIREMENTS
Fast-food drive-in, carry-out restaurants	One (1) space per each employee per shift for a minimum of five (5) spaces plus one (1) space per 100 sq. ft. of gross floor area with a minimum of twenty (20) spaces	One (1) loading space for each building
<p align="center"><u>Parking Calculations</u></p> <p>12 employee parking spaces (minimum of 5 per shift)</p> <p>48 parking spaces fast-food (1 per 100 GFA: 4,775 SF/100)</p> <hr/> <p>60 Total parking spaces required</p>		
<p>1 Loading spaces</p> <hr/> <p>1 Total Loading spaces required</p>		

Traffic Impact & Access Study. Applicant states, “because the McDonald’s restaurant is an existing operation, the proposed improvements will cause minimal change to traffic patterns and will not require a Traffic Impact and Access Study or a Development Impact Statement.” **Staff notes that the board may choose to request these items.**

Circulation. Vehicles will continue to have direct access to the site via, two bi-directional driveways. The first of which connects to Shawmut Ave directly behind the building and is not shown in the plans. The second connects to Hathaway Road on a reconstructed driveway between the leased space and a recently built O’Reilly’s Auto Parts store. Applicant states that “the proposed improvements will not affect the existing operation of truck deliveries and movement within the site.” Staff notes circulation is likely to remain unchanged and plan is sufficient as is.

Several 3’ high by 1.5’ wide directional signs, such as “Welcome, “Thank you,” “Enter” and “Exit” will be placed in appropriate locations throughout the site. Likewise, a “Drive Thru” sign will direct customers to the drive-thru entrance while new pavement markings will guide customers transitioning through. The drive-thru entrance will be marked with an arrow and will read “Drive Thru,” “Thank You” at the order pickup window, and “Stop” & “Do Not Enter” signs and striping will be placed at the drive-thru exit.

Landscaping. The proposal will maintain all existing landscaped areas as is and allow for replanting to be carried out by the owner/operator only in areas disturbed by construction.

At the front of the building the proposed plantings include: (A) 16 – Hemerocallis ‘Happy Returns’ Daylilies, (B) 3 – Delaware Valley White Azalea, (C) 5 – Dwarf Inkberry Holly Shrubs. By the new loading ramp along the west side plantings will include (D) 10 – Shamrock Inkberry Holly Shrubs. In landscaped areas along the entrance to the drive-thru plantings will include: 5 – Dwarf Inkberry Holly Shrubs, 28 – Hemerocallis ‘Happy Returns’, and 6 – Shamrock Inkberry Holly Shrubs.



A) ‘HAPPY RETURN’
DAY LILLIES



C) DWARF
INKBERRY
HOLLY



B) DELAWARE
VALLEY WHITE
AZALEAS



D) SHAMROCK
INKBERRY HOLLY

Snow Storage & Waste Receptacles. Applicant states that the existing snow storage areas on-site will remain unchanged and proposed snow storage areas are indicated along the Shawmut Ave frontage on the outer side of the drive-thru. The dumpster enclosure and access area will remain as is. Staff notes plan for snow storage and waste receptacles are sufficient.

Stormwater. Applicant states, “the proposed site improvements will cause minimal change to the existing drainage patterns and the existing drainage system will remain.” DPI comments note that developer need comply with City of New Bedford Stormwater rules and regulations for a redevelopment project and coordinate with DPI Engineering Division.

Signage. A new 5’-11 5/8” high 4’-10” wide digital menu board and a 10’ high customer order speaker and canopy recently approved by the Zoning Board of Appeals (Case # 4385) will be installed a short distance after the clearance poll. **The board may wish to inquire the applicant about the hours of illumination for this signage.**

Wall signage. A new “McDonald’s” 2’- 0 5/8” high by 16’- 4 15/16” wide wall signs will be installed on the right side of the parapet roof on the south side of the building. Two “Next Generation” McDonald’s Wall Arch signs will be installed, one on the front side of the building on the parapet roof and the other on the main vestibule entrance on the east side. Sign lettering is made of .177” white modified acrylic molded faces/letter bodies, with a starbright white (opaque) interior finish. Lettering is installed on aluminum racks painted starbright white and illuminated with white LEDs. **The board may wish to inquire the applicant about the hours of illumination for this signage.**

Lighting The architectural plan set includes a roof lighting plan, and an electric lighting plan. The front of the building and the west side up to the main entrance vestibule will feature a wrap-around trellis and canopy, above which several LED floodlights will provide accent lighting for the parapet roof replacing the mansard roof along the entire perimeter of the building. The two Next Generation McDonald’s Wall Arch signs will also be illuminated by down only accent lighting using a HiraF high efficiency linear LED façade fixture. New “down only” radial wall sconce LED lighting fixtures will replace the mansard roof lighting throughout the exterior of the building.

Review Comments

As required under city ordinance, the case submittal documents were distributed to City Clerk, City Solicitor, Health Department, Inspectional Services, Engineering, Public Infrastructure, Conservation Commission, Fire Department and School Department.

The Department of Public Infrastructure provided a letter dated July 31, 2019. The letter has a list of 3 items to be addressed.

No comments were received as of the publication of this report; any comments received will be made available at the public meeting.

Master Plan Goal

The proposal is consistent with the master plan’s goal to expand workforce opportunities and communicates a positive message for business development.

Materials for Consideration

The engineered plan submission is shown as “Site Development Plan for Existing McDonald’s with Drive-Thru, Location of Site: 159 Hathaway Road City of New Bedford Bristol County, Massachusetts Lot 14, Map 101 Book 04671 Page 186,” dated 2-19-19 as revised through 7-2-19. Plans were prepared by Bohler Engineering of Southborough, MA and stamped by Mark M. Wixted, PE. They were received and stamped by the Clerk’s office on 7/10/19. The plan set consists of the following sheets:

- Sheet C-1 of 9 Cover Sheet
- Sheet C-2 of 9 General Notes Sheet
- Sheet C-3 of 9 Demolition & Soil Erosion & Sediment Control Plan
- Sheet C-4 of 9 Site Plan
- Sheet C-5 of 9 Grading and Drainage Plan
- Sheet C-6 of 9 Landscape Plan

- Sheet C-7 of 9 Landscape Notes & Detail Sheet
- Sheet C-8 of 9 Detail Sheet #1
- Sheet C-9 of 9 Detail Sheet #2
- Sheet 1 or 1 Boundary & Partial Topographic Survey (By Others)
- Sheet 1-3 of 3 Building Elevations (By Others)

The architectural plan submission is shown as “2017 Major Remodel Project Core 16 Exterior – Non Play Place Boston Region,” dated 11-9-18 as revised though 5-24-19. Plans were prepared by SkyBorne Technologies of Westford, MA, and stamped by Shawn Timothy McGrath, PE. They were received and stamped by the Clerk’s office on 7/10/19. The plan set consists of the following sheets:

Architectural:

- D1.0 Demolition – Floor Plan
- D1.1 Demolition – Elevations & Notes
- A0.1 General Notes
- A1.1 Floor Plan
- A1.2 Roof Plan
- A2.0 Roof Lighting Plan
- A2.1 Elevations
- A3.0 Elevations
- A3.1 Wall Section Details
- A3.2 Wall Sections
- A3.3 Wall Sections
- A3.4 Wall Sections
- A3.5 Wall Sections
- A3.6 Wall Sections
- A4.0 Brand Wall Details
- A4.1 Enlarged Restroom Plan
- A4.2 Enlarged Restroom Construction Plan
- A4.3 Details, Notes, & Schedules
- A4.4 Enlarged Vestibule Plan
- A5.0 Sam Details and Sections
- A5.1 Sam Details and Sections
- A5.2 Modular Front Counter Slip Sheet

Structural:

- S1.0 Mansard Framing Details and Notes
- S1.1 Foundation Plan and Details
- S2.0 Connector Specs

Electrical:

- E1.0 Electrical Specifications and General Notes

- E1.1 Foundation Rough-In Plan and Notes
- E2.0 Electrical Lighting Plan and Notes
- E3.0 Fire Alarm Plan

Plumbing:

- P1.0 General Notes
- P2.0 Waste, Vent and Domestic Piping Plan
- P3.0 Plumbing Riser Diagram, Details and Schedules

In addition to the foregoing submitted materials, the Planning Board may also wish to consider:

- **Waivers**

Development Impact Statement: Applicant states, “because the McDonald’s restaurant is an existing operation, the proposed improvements will cause minimal change to traffic patterns and will not require a Traffic Impact and Access Study or a Development Impact Statement.”

Traffic Impact Access Study: Applicant states, “because the McDonald’s restaurant is an existing operation, the proposed improvements will cause minimal change to traffic patterns and will not require a Traffic Impact and Access Study or a Development Impact Statement.”

Topography and Drainage Plan: Applicant states, “the proposed site improvements will cause minimal change to the existing drainage patterns and the existing drainage system will remain.”

Site Plan Approval

In considering Site Plan Approval for the proposed project, the Board must find that the plan meets a number of objectives identified in Section 5470 of the City’s (c.9) Zoning Ordinance including:

- **Adequate access to each structure for fire and service equipment;**
- **Adequate provision for utilities and stormwater drainage;**
- **Site alteration shall be designed after considering the qualities of the specific location, proposed land use, the design of building form, grading, egress points and other aspects of the development so as to:**
 - Minimize cut/fill volumes, removal of 6” caliper trees and larger, removal of stone walls , displacement of wetland vegetation, extent of stormwater flow increase from the site, soil erosion and the threat of air/water pollution;
 - Maximize pedestrian/vehicular safety to/from the site;
 - Minimize the obstruction of scenic views from publicly accessible locations;
 - Minimize visual intrusion by controlling layout/visibility of parking, storage and outdoor service areas viewed from public ways and residential areas;
 - Minimize glare from vehicle headlights and lighting fixtures;
 - Minimize unreasonable departure from the character, materials and scale of buildings in the vicinity;
 - Minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises



Site Plan Approval. Having reviewed the submitted materials, planning staff offers the following recommendations for conditions to the Planning Board should it act favorably on the requested site plan approval for the project:

- ☐ That the following specific conditions be applied to this decision:
 1. Developer to provide hours of illumination for drive-thru and wall signage.
 2. Developer to comply with Department of Public Infrastructure case comments.
- ☐ That the following general conditions also be applied to this decision:
 1. The project shall be completed according to the plans, notes, reports, and specifications submitted for consideration and final approval by the Planning Board.
 2. The project shall be undertaken in a manner consistent with the Memorandum from the Department of Public Infrastructure received and placed on file and the Planning Board incorporates the DPI memo as part of these conditions.
 3. The applicant shall submit final plan revisions to the Planning Division in the following formats: one (1) -11" x 17" Plan Set and one (1) CD or USB with Plan Set in PDF format and shall ensure that these same plans are properly submitted to the Department of Inspectional Services.
 4. The applicant shall ensure that a copy of the Notice of Decision, bearing the certification of the New Bedford City Clerk signifying no appeal has been made against the project's approval, be provided for the Planning Division Case file folder.
 5. That the applicant shall ensure a copy of the Notice of Decision bearing the certification of the city of New Bedford City Clerk, signifying no appeal has been made against the project's approval, be recorded at the Registry of Deeds.
 6. The applicant shall ensure that a copy recorded decision be provided for the Planning Division Case file folder.
 7. The applicant shall present any proposed modification from the approved plans for consideration to the City Planner for determination as to whether the modified plan must return before this Board for further review.
 8. The rights authorized by the granted approval must be exercised by issuance of a Building Permit by the Department of Inspectional Services and acted upon within one year from the date the decision was granted, or they will lapse.
 9. The developer and site contractor must schedule a pre-construction meeting with the Department of Public Infrastructure prior to the start of construction.

Materials Provided by the Applicant are available at: <https://www.newbedford-ma.gov/planning/planning-board-agenda-info-2019/>.

4,775 SF Leased Space on a 9.8 Acre Lot

NOTE: Property line is approximate; for discussion purposes, only. Aerial map is oriented north.

